UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/529
21 October 1996
ENGLISH
ORIGINAL: RUSSIAN

Fifty-first session
Agenda items 24, 64, 96, 97 and 98

LAW OF THE SEA

THE ROLE OF SCIENCE AND TECHNOLOGY IN THE CONTEXT OF INTERNATIONAL SECURITY, DISARMAMENT AND OTHER RELATED FIELDS

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

OPERATIONAL ACTIVITIES FOR DEVELOPMENT

Letter dated 18 October 1996 from the Permanent Representatives of Azerbaijan and Kazakstan to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the joint statement on Caspian Sea questions adopted by the Presidents of the Azerbaijani Republic and the Republic of Kazakstan in Baku on 16 September 1996 (see annex).

We should be grateful if the text of this letter and its annex could be circulated as a document of the General Assembly under agenda items 24, 64, 96, 97 and 98.

(Signed) E. KOULIEV
Ambassador
Permanent Representative of the
Azerbaijani Republic to the
United Nations

(Signed) A. ARYSTANBEKOVA
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ANNEX

Joint statement on Caspian Sea questions adopted by the Presidents of Azerbaijan and Kazakstan in Baku on 16 September 1996

The President of the Republic of Azerbaijan, Mr. G. A. Aliyev, and the President of the Republic of Kazakstan, Mr. N. A. Nazarbaev, following their discussion in Baku on 16 September 1996 of questions relating to the legal status of the Caspian Sea and cooperation among the littoral States in the exploration, development and use of the Caspian's mineral and biological resources and protection of its natural environment, reached the following mutual understanding.

1. The Parties consider that the immediate and urgent task of the littoral States is to elaborate and conclude, on the basis of consensus, a convention on the legal status of the Caspian Sea. The legal status of the Caspian Sea must be based on the generally recognized rules and principles of international law and the international treaty practice of States situated on the shores of similar bodies of water and include the regulation of questions of navigation, the use of biological and mineral resources, the ecology, including changes in the sea level, etc., and the definition of the jurisdictional limits of the littoral States on the basis of respect for their sovereign rights over their respective parts and sectors of the Caspian Sea.

Agreements on specific types of activity on the Caspian may be concluded on the basis of a convention on the legal status of the Caspian Sea.

2. The Parties agree that the activities of the littoral States on the Caspian Sea must be conducted in keeping with the following principles:

- Compliance with the principles of the Charter of the United Nations providing for respect for sovereignty, territorial integrity, political independence, the sovereign equality of States and the non-use of force or threat of force;

- The demilitarization of the Caspian and its use exclusively for peaceful purposes;

- The maintenance of the Caspian Sea as a zone of peace, good-neighbourliness, friendship and cooperation, and the peaceful settlement of all questions concerning the Caspian Sea;

- The protection of the environment and the prevention of the pollution of the Caspian Sea;

- The conservation, reproduction and rational use of the biological resources of the Caspian Sea;

- The responsibility of the States bordering the Caspian Sea for any damage to the environment or each other as a result of their use of the Caspian Sea and exploitation of its resources;

- The freedom and safety of the commercial shipping of the States bordering the Caspian Sea;

- And compliance with any other principles that may be agreed upon among the littoral States.

3. The Parties agree that only vessels belonging to the States bordering the Caspian Sea may sail on the Caspian Sea.

The procedure and conditions for navigation on the Caspian may be defined in separate agreements.

4. The Parties consider that the delimitation of the Caspian Sea between the littoral States in one form or another is fully consistent with international practice and the principles and rules of international law and will facilitate their cooperation on the basis of equal rights and mutual advantage and help to attract investments and modern technology for the purpose of the effective, rational and safe use of the natural resources of the Caspian.

5. The Parties recognize each other's rights and the rights of each of the littoral States to carry out activities connected with the exploitation of the mineral and biological resources in their respective parts and sectors of the Caspian Sea, and they will exchange concrete proposals on the development of mutually advantageous cooperation, including geophysical and geological survey activities and the exploitation of hydrocarbon deposits, bearing in mind the experience and capabilities of the Parties.

6. The Parties are in favour of intensifying and raising the level of negotiations between the littoral States with respect to the legal status of the Caspian Sea and to this end endorse the proposal to hold a meeting of the Ministers for Foreign Affairs of the five States bordering the Caspian Sea to conclude a mutually acceptable agreement on its legal status.

DONE in Baku on 16 September 1996 in two copies, each in the Azerbaijani, Kazak and Russian languages.

(Signed) Heydar ALIYEV
President of the
Azerbaijani Republic

(Signed) Nursultan NAZARBAEV
President of the Republic
of Kazakstan